

"Express Mail" mailing label No. **ER510288112US**

Date of Deposit **September 30, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Juliet L. Heinrich

(Typed or printed name of person mailing paper or fee)

Juliet L. Heinrich  
(Signature of person mailing paper or fee)

22386 U.S. PTO  
10/676956



093003

Patent

Attorney's Docket No. 55491-20008.00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**UTILITY PATENT  
APPLICATION TRANSMITTAL LETTER**

Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing is the utility patent application of Christopher Don Roberts and Natalia B. Dyatkina for Nucleoside Derivatives for Treating Hepatitis C Virus Infection.

- ☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.
- ☐ Applicant(s) suggest(s) Figure \_ for inclusion on the front page of the patent application publication and patent.
- ☒ Applicant(s) requests that the published application include the following assignment information: Genelabs Technologies, Inc.

Also enclosed are:

- ☐ \_\_\_\_\_ sheet(s) of drawings;
- ☐ a claim for foreign priority under 35 U.S.C. §§ 119 and/or 365 is ☐ hereby made to \_ filed in \_ on \_;
- ☐ in the declaration;
- ☐ a certified copy of the priority document;
- ☐ a General Authorization for Petitions for Extensions of Time and Payment of Fees;
- ☒ an Assignment document;
- ☐ an Information Disclosure Statement;
- ☐ a patent application data sheet; and
- ☒ Other: 1 disk with Sequence Listing; Sequence Listing Statement (37 CFR 1.821 - 1.825 et seq.); Statement per 37 CFR 1.52(e)(3); return postcard.
- ☒ An ☒ executed ☐ unexecuted declaration of the inventor(s)
- ☒ also is enclosed ☐ will follow.
- ☐ Small entity status is hereby claimed.

- ☒ Please amend the specification by inserting before the first line the sentence (an executed declaration referencing this amendment is enclosed or will follow):
- ☐ --This application claims priority under 35 U.S.C. §§ 119 and/or 365 to    filed in    on   ; the entire content of which is hereby incorporated by reference.--
- ☒ --This application claims priority under 35 U.S.C. § 119 to U.S. Provisional Application No. 60/443,222 filed on September 30, 2002, and U.S. Provisional Application No. 60/415,169 filed on January 29, 2003 the entire contents of which are hereby incorporated by reference.--
- ☐ --This application is a continuation of International Application No.    filed on   , the entire content of which is hereby incorporated by reference--.
- ☒ The filing fee has been calculated as follows ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00 (1001)
Total Claims	150	MINUS 20 =	130	× \$18.00 (1202) =	2,340.00
Independent Claims	10	MINUS 3 =	7	× \$84.00 (1201) =	588.00
If multiple dependent claims are presented, add \$280.00 (1203)					280.00
Total Application Fee					3,208.00
If small entity status is claimed, subtract 50% of Total Application Fee					1,604.00
Add Assignment Recording Fee \$40.00 (8021) if Assignment document is enclosed					40.00
<b>TOTAL APPLICATION FEE DUE</b>					<b>1,644.00</b>

- ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
- ☒ A check in the amount of \$ 1,644.00 is enclosed for the fee due.
- ☐ Charge \$            to Deposit Account No. 50-2859 for the fee due.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-2859. This paper is submitted in duplicate.


Please address all correspondence concerning the present application to:

Gerald F. Swiss, Esq.  
SWISS LAW GROUP, LLC  
Building 3, Palo Alto Square  
3000 El Camino Real, Ste 100  
Palo Alto, CA 94306

Respectfully submitted,

SWISS LAW GROUP, LLC

DATE: SEPTEMBER 30, 2003

BY:   
JULIE L. HEINRICH  
REGISTRATION NO. 48,070

SWISS LAW GROUP  
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Julie Heinrich  
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Julie L. Heinrich  
(Signature of person mailing paper or fee)

Attorney Docket No. 55491-20008.00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of: )  
)  
Christopher Don Roberts, et al. )  
) Art Unit: Unassigned  
Application No.: Unassigned )  
) Examiner: Unassigned  
Filed: Filed herewith )  
)  
For: NUCLEOSIDE DERIVATIVES FOR )  
TREATING HEPATITIS C VIRUS )  
INFECTIONS )

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT PURSUANT TO 37 CFR §1.52(e)(3)**

Dear Sir:

I hereby state the sequence listing material contained on the accompanying compact disk is submitted as the file named "554912000800.txt"; it was created on September 29, 2003 on an IBM PC with Windows 2000 operating system and is 2kb in size.

If there are any fees associated with this submission, the Assistant Commissioner is hereby authorized to charge such fees or credit any overpayment to **Deposit Account No. 50-2859.**

Respectfully submitted,  
SWISS LAW GROUP, LLC

Date: September 30, 2003

By:

  
Julie L. Heinrich

Registration No. 48,070

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